

SENATE JOINT RESOLUTION 836

By Bowling

A RESOLUTION to ratify the increase to the statewide 911 surcharge rate to \$1.50 as determined needed by the Tennessee Emergency Communications Board.

WHEREAS, pursuant to Tennessee Code Annotated § 7-86-102(b)(1), the General Assembly finds that the establishment of a uniform emergency number to shorten the time required for a citizen to request and receive emergency aid is a matter of public interest and concern. The General Assembly finds also that the continued viability of the lifesaving 911 emergency communications service is of the highest priority for the health and safety of the citizens of Tennessee; and

WHEREAS, pursuant to Tennessee Code Annotated § 7-86-128(a)(2), any change in the 911 surcharge amount set in subdivision (a)(1) is required to be set at a level that is sufficient to fully fund the mandatory disbursements to emergency communications districts, the operational expenses of the state emergency communications board, and the Tennessee Relay Services/Telecommunications Devices Access Program (TRS/TDAP) as provided in § 65-21-115. In the event of any revenue shortfall, mandatory disbursements to the emergency communications districts and the TRS/TDAP are required to be given priority. Revenues from the surcharge are required to be used to support the long-term solvency and operations of emergency communications districts, as well as reasonable and necessary administrative and operational expenses of the board and the 911 Emergency Communications Fund; and

WHEREAS, in Tennessee, the current statewide 911 surcharge rate of \$1.16 has been in effect since January 1, 2015, and was based on emergency communications districts revenues from fiscal years 2010, 2011, and 2012; and

WHEREAS, due to advances in technology and increased operational costs, immediate and long-term additional funding is required to sustain and enhance operations of emergency communications districts; and

WHEREAS, pursuant to Tennessee Code Annotated § 7-86-128(b)(1), the board may increase the 911 surcharge upon determination of a need for additional funds after a public hearing before the board. At least thirty (30) days' notice is required to be provided before the public hearing with opportunity for public comment at the public hearing. No increase in the 911 surcharge is authorized to take effect until ratified by a joint resolution of the General Assembly. Not less than ninety (90) days prior to the rate change, notice of the change is required to be provided to all dealers in the manner that notices are provided of changes in sales tax rates pursuant to title 67; and

WHEREAS, at a regularly scheduled meeting on May 1, 2019, the Tennessee Emergency Communications Board called for a special meeting on June 11, 2019, to discuss funding of emergency communications; and

WHEREAS, at a special called meeting on June 11, 2019, to discuss funding of emergency communications, the Tennessee Emergency Communications Board convened a public hearing on July 16, 2019, in order to receive public comment regarding an increase to the statewide 911 surcharge rate as required by Tennessee Code Annotated § 7-86-128(b)(1); and

WHEREAS, at a regularly scheduled meeting on August 7, 2019, the Tennessee Emergency Communications Board determined a need for increased funds and established a new statewide 911 surcharge rate of \$1.50; and

WHEREAS, in Tennessee, all citizens and visitors and businesses rely on and benefit from the life-saving power of and essential public service that is 911; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED ELEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the increase of the statewide 911 surcharge rate to \$1.50 by the Tennessee Emergency Communications Board is hereby ratified.

BE IT FURTHER RESOLVED, per the requirements of Tennessee Code Annotated § 7-86-128(b)(1), the statewide 911 surcharge rate of \$1.50 shall go into effect on January 1, 2021, to allow notice to be provided to all communications service and prepaid communications service providers in the manner that notices are provided of changes in sales tax rates pursuant to title 67.